IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1790 OF 2006

Laxmibai Arjun Sonavane
& Ors. .. Petitioners.

vs.

Chief Executive Officer, Slum
Rehabilitation Authority
& Ors. .. Respondents.

Mr. G.S. Bhat for petitioners.
Mr. G.D. Utangale i/by M/s. Utangale & Co.
for Respondent no. 1.
Mr. K.R. Belosey, Off. G.P. for R. No.2.
Ms. Sarita Nikam i/by Mr. S.K. Rathore
for Respondent No.3.

..

Coram: J.N. PATEL &,
S.C. DHARMADHIKARI, JJ.
Date: 20th February, 2007.

P.C.

. Heard.

2. As the Petitioners have approached this Court

seeking a direction to respondent no. 1 to sanction the proposal and plan submitted by the petitioners in respect of the suit property subject to the compliance of the conditions as required in the Slum Rehabilitation Scheme.

3. It is also prayed that Respondent No. 2 should be ordered to scrutinize the eligibility of occupants and issue Annexure II to the occupants of the suit property and in the meantime process the case for approval of plan and the proposal submitted by the petitioners.

4. In our view, unless and until the respondent authority arrives at a conclusion regarding the eligibility of the petitioners, no steps can be taken for approval of the plan in respect of the proposal submitted by the petitioners regarding the subject of the petition i.e. the property on which the scheme is sought to be implemented. Therefore, we dispose of this petition with a direction to respondent no. 2 to examine the eligibility of the petitioners and if they are found eligible, consider their proposal if the same is in accordance with the Scheme.

(J.N. Patel, J.)

(S.C. Dharmadhikari, J.)